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Silence rule is agreement (SVA): which applications are concerned?

Verified 27 janvier 2022 - Legal and Administrative Information Directorate (Prime Minister)

Except for exceptions, if you do not receive a response from the administration after **2 months**, this means that your request is **accepted**.

It's called **silence rule is acceptance (SVA)**.

One **online service** allows you to check if the VAS rule applies to your request.

 Review steps where silence is agreement

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

Attention: this simulator was updated in 2016.

Go to
search 

(<https://www.service-public.fr/demarches-silence-vaut-accord>)

The **2 months** shall run from the date of receipt of the application by the competent authority.

Example :

If the competent authority receives a full application on 1st March 2022, implied decision of acceptance 1st May 2022.

What are the exceptions?


The guarded silence by the **2 months** means **refusal** (rejection decision) in the following cases:

- The request shall not be for the adoption of an individual decision
- The application does not form part of a procedure provided for in a legislative or regulatory text
- The application shall be of the nature of a claim or an administrative appeal
- The application is of a financial nature, except in the case of social security, in certain cases
- The request concerns the relationship between the administration and its staff
- The request is excluded from the "silence equals agreement" rule by decree in the Council of State and in the Council of Ministers
- Implicit acceptance would not be compatible with France's international and European commitments, the protection of national security, the protection of freedoms and principles of constitutional value, and the safeguarding of public order

The **2 months** runs from the date of receipt of the request by the administration initially entered.

Example :

If the authority entered receives a full application file on 1st March 2022, implied decision to reject 1st May 2022.

 **FYI** : the implied decision of acceptance or rejection may occur **time not exceeding 2 months** in case **emergency** or **complex procedure**.

Can an implicit decision of acceptance be reversed?

Répondez aux questions successives et les réponses s'afficheront automatiquement

At your request as beneficiary of the decision

If the decision is illegal

The administration shall repeal or withdraw an illegal decision to accept **4 months** following the publication of the decision.

If you appeal contentious after **compulsory administrative appeal (Rapo)** (<https://www.service-public.fr/particuliers/vosdroits/F2474?lang=en>), the period shall be extended until the end of the period allowed for the administration to take a decision on the Rapo.

However, the administration does not have a deadline to meet if the following 2 conditions are met:

- The withdrawal or repeal respect the rights of other persons
- The decision withdrawn or repealed shall be replaced by a decision more favourable to the beneficiary

If the decision is legal

Administration may repeal or withdraw a legal decision, without any time-limit, if **2** are completed:

- The withdrawal or repeal the decision respects the rights of third parties
- The decision withdrawn or repealed is replaced by a decision that is more favourable to you

At the initiative of the administration or at the request of another person

Administration may repeal or withdraw an acceptance decision if **2** are completed:

- The decision is illegal
- Withdrawal or repeal occurs in **4 months** following the decision

However, the time limit is not required if the decision is based on a condition that is no longer met. For example, an age condition of the applicant.

Statute and miscellaneous references

- Code of Public Administration Relations: Articles L231-1 to D231-3 [↗](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000031366350/LEGISCTA000031367609)
(https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000031366350/LEGISCTA000031367609)
Principle of silence is acceptance
- Code of Public Administration Relations: Articles L231-4 to L231-5 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367617) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367617>)
Acceptance silence rule exceptions
- Code of Public Administration Relations: Article L231-6 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367623/) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367623/>)
Different time limits for acquiring the implied decision to accept or reject
- Code of Public Administration Relations: Articles L232-1 to L232-3 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367629/) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367629/>)
Issuance of a certificate and completion of publicity measures
- Code of Public Administration Relations: Articles L242-1 to L242-2 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367655/) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000031367655/>)
Deadline for withdrawal or repeal of an acceptance decision
- Code of Public Administration Relations: Article R*311-12 [↗](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000031370407) (https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000031370407)
Requests for access to documents or information
- Ministerial Response of 13 February 2020 on the application of the principle "silence equals agreement" [↗](http://www.senat.fr/basile/visio.do?id=qSEQ200214397) (<http://www.senat.fr/basile/visio.do?id=qSEQ200214397>)

Online services and forms

- Review steps where silence is agreement (<https://www.service-public.fr/particuliers/vosdroits/R45345?lang=en>)
Search