Freedom of establishment for notaries and commissioners of justice - The Autorité launches two public consultations to prepare opinions on the freedom of establishment of these professionals and propose a review of the maps adopted in 2023 and 2024

Published on September 01, 2025

Background

In application of Article L. 462-4-1 of the French Commercial Code (*Code de commerce*), the *Autorité de la concurrence* has launched two public consultations to prepare two new opinions on the freedom of establishment of commissioners of justice and notaries and propose a review of the latest maps adopted in 2023 and 2024.

To contribute to the new opinions and proposed maps of the establishment areas for commissioners of justice and notaries, interested stakeholders are invited to answer the questionnaires available online by clicking on the links below before 2 October 2025

The law provides for a review of the establishment maps at least every two years

The maps for commissioners of justice and notaries, made public by the joint decrees of the Ministers of Justice and the Economy of 26 December 2023[1] and 27 February 2024[2], must be revised within two years of their adoption[3].

These maps are subject to a prior proposal by the *Autorité de la concurrence.*

In addition, the *Autorité* is required to make "*all recommendations to improve access to public or ministerial offices with a view to strengthening the territorial cohesion of services and gradually increasing the number of offices in the territory*" (Article L. 462-4-1 of the French Commercial Code).

A first establishment map for commissioners of justice

Since 1 July 2022, the professions of court bailiff and judicial auctioneer have been brought together within the new profession of commissioner of justice. Consequently, since this date, the Minister of Justice only creates commissioner of justice offices, to which all qualified professionals that meet the relevant conditions (in terms of education or experience) may be appointed, regardless of their original profession.

Previous decrees issued pursuant to Article 52 of the Law for *Growth and Activity*

Following the *Autorité*'s opinion[4], the French government, by joint decrees of the Ministers of Justice and the Economy of 26 December 2023 and 27 February 2024, recommended the establishment of 502 notaries and 33 commissioners of justice over the period 2023-2025.

Consultation with interested parties

The public consultations launched today mark the beginning of work to revise the maps of establishment areas for the professions of commissioner of justice and notary.

Interested parties are therefore invited to participate in these consultations, particularly on the following topics:

- applications for offices created during the period 2023-2025;
- applications for the creation of offices during the period 2025-2027;
- the impact of the merger of the professions of court bailiff and judicial auctioneer into the single profession of commissioner of justice since July 2022;
- the economic situation of offices;
- generative artificial intelligence and its impact on the professions;
- the frequency of the *Autorité*'s opinions;
- the extension of free establishment to Alsace-Moselle.

As in previous years, the *Autorité's* objective is to have as accurate and objective an overview as possible of the economic situation of notaries and commissioners of justice, particularly those whose offices have recently been created, in order to formulate its recommendations to the French government.

QUESTIONNAIRE FOR THE COMMISSIONERS OF JUSTICE Access

QUESTIONNAIRE FOR THE NOTARIES Access

[1] Decree of 26 December 2023 issued pursuant to Article 52 of Law 2015-990 of 6 August 2015 for Growth, Activity and Equal Economic Opportunities for the

profession of commissioner of justice.

[2] Decree of 27 February 2024 issued pursuant to Article 52 of Law 2015-990 of 6 August 2015 for Growth, Activity and Equal Economic Opportunities for the profession of notary.

[3] In Opinion 25-A-09 of 31 July 2025, the *Autorité* recommends reducing the frequency of its opinions from two to five years.

[4] Opinion 23-A-09 of 7 July 2023 on the freedom of establishment of commissioners of justice and a proposed map of establishment areas, together with recommendations on the pace of creation of new commissioner of justice offices.

Opinion 23-A-10 of 7 July 2023 on the freedom of establishment of notaries and a proposed revised map of establishment areas, together with recommendations on the pace of creation of new notary offices.

Contact(s)

Chloé Duretête
Communication officer
01 55 04 01 20
Contact us by e-mail