

The Autorité de la concurrence publishes its opinion of 23 July 2024 on the draft decree defining the mechanism for collecting statistical information from lawyers

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At the request of the French government, the *Autorité de la concurrence* issued an opinion on 23 July 2024 on a draft decree (supplemented by a draft ministerial order) on integrating lawyers into a mechanism for collecting economic data from certain legal professions for the purpose of setting their regulated rates.

In particular, the *Autorité* noted that expanding the data collection mechanism provided for in Article A. 444-203 of the French Commercial Code (*Code de commerce*) to include lawyers should only concern lawyers that provide representation or *postulation* (the procedural requirement in French law for parties to be represented by a lawyer registered with the bar of the relevant appeal court for certain types of proceedings) services, regularly and on a fee-paying basis.

Moreover, while recognising the value of integrating, for all the legal professions concerned, economic data on the activity of branch offices into the data collection mechanism, the *Autorité* recommended that an impact assessment should be conducted in order to evaluate the feasibility of such a reform.

The decree and order adopted, respectively, on 18 June 2025 and 3 November 2025 follow the recommendations made by the *Autorité*. Accordingly, data will only be collected from lawyers that have performed at least five *postulation* services subject to regulated fees and branch offices will not be integrated into the mechanism.

PRESS RELEASE OF 23 DECEMBER 2025

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