Freedom of establishment of commissioners of justice: proposed map for 2026-2031

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The *Autorité* recommends the French government create additional offices to allow for the establishment of 41 new commissioners of justice during the period of validity of the next map (2026-2031)

In accordance with Article L. 462-4-1 of the French Commercial Code (*Code de commerce*), the *Autorité de la concurrence* must submit to the French Minister of Justice (who has responsibility for the matter) an opinion on the freedom of establishment of commissioners of justice.

Changes to the frequency of maps

Following a change in the regulatory framework, the *Autorité* is for the first time submitting a proposed map of establishment areas for commissioners of justice, together with recommendations on the pace of creation of new offices, covering a five-year period (2026-2031).

A profession affected by significant structural changes

The results of the analysis of supply and demand for commissioner of justice services are consistent with the findings made in previous opinions issued by the *Autorité*. In particular, the decline in the number of professionals continues, as does the consolidation of offices within companies comprising multiple offices.

Furthermore, the restructuring of the new profession is not complete and the ban on professionals that have not completed the necessary training to practice as commissioners of justice, which will come into force on 1 July 2026, could lead dozens of professionals to exit the market, leaving certain offices vacant.

Demand, for its part, continues to be negatively affected by the trend towards dejudicialisation (i.e. the shift away from litigation).

Nevertheless, supported by a rebound effect following the decline in activity in 2020 caused by the health crisis, the profession's economic results have been steadily improving in recent years, with total turnover growing slightly faster than inflation between 2019 and 2024.

Moreover, the *Autorité* hopes that, from 2027, the profession's new chart of accounts will provide more reliable and accurate economic data, supporting an objective assessment of the decline in the share of the profession's monopoly activities.

The Autorité *issues new recommendations for appointments for the period 2026-2031*

The overview of supply and demand calls for a cautious approach to determining the five-year recommendations. **As a result, the *Autorité* recommends the French government create additional offices to allow for the establishment of 41 new commissioners of justice during the period of validity of the next map (2026-2031).**

To gain greater perspective on previous waves of creations and give the new offices time to develop, the *Autorité* recommends that new offices be established within two years of the random selection of candidates. Similarly, to facilitate the development of the latest offices created (in 2024 and 2025), the French government could defer the adoption of the decree establishing the next map of establishment areas for commissioners of justice by a few months.

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