The Autorité recommends the French government create additional offices to allow for the establishment of 261 new notaries during the period of validity of the next map (2026-2031)

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Background

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

Map frequency extended from two to five years

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

Continued rise in the number of private practitioner notaries, but a decline in the number of salaried notaries

On 31 October 2025, 12,231 notaries were practising privately in 7,135 offices, an increase of 6% compared to April 2023. Between 2016 and 31 October 2025, the number of offices and private practitioners increased by 64% and 42% respectively.

Appointments under the current map are still ongoing, but according to the French Ministry of Justice, **the target of 502 new notaries should be reached before the map expires** (end of February).

The number of salaried notaries increased steadily for more than 10 years, before beginning to decrease in 2023. The 10% decrease between 2022 and 2024 coincided with a deterioration of the profession's economic situation.

The profession's economic performance in decline since 2023

After peaking in 2021 and 2022, the profession's turnover and the total number of authentic deeds drawn up by notaries fell by around 10% in 2023 and around 4% in 2024.

The main reason for this declining performance was the slowdown in the property market. Between 2022 and 2024, the number of property transfers decreased by 28% and the total fees collected by notaries for property transactions fell by 35%.

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 261 new private practitioner notaries 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.

1. Revision of the establishment map for notaries

French law 2015-990 of 6 August 2015 for Growth, Activity and Equal Economic Opportunities (hereinafter the "Law for Growth and Activity") introduced a principle of regulated freedom of establishment for notaries to lower the barriers to entry into the profession and adapt the geographic coverage to the needs of the economy.

Within the framework of that provision, the *Autorité*[1] must propose to the French government, now every five years[2], a map[3] identifying, on the one hand, free establishment areas ("green areas")[4] and, on the other hand, controlled establishment areas ("red areas")[5].

As a reminder, since 2016, the *Autorité* has issued the following opinions and quantitative recommendations:

Opinion by the *Autorité*	Recommendation on the pace of establishment (over a two-year period)	Approval of the proposed map
Opinion 23-A-10 of 7 July 2023	+ 600 notaries	Decree of 27 February 2
Opinion 21-A-04 of 28 April 2021	+ 250 notaries	Decree of 11 August 20
Opinion 18-A-08 of 31 July 2018	+ 700 notaries	Decree of 3 December 2
Opinion 16-A-13 of 9 June 2016	+ 1,650 notaries	Decree of 16 September

The map adopted by joint decree of the Ministers of Justice and the Economy on 27 February 2024 will soon expire. The appointment of the 502 new professionals provided for in the aforementioned decree should be completed by the end of the map's validity period (end of February)[6].

Decree 2025-1273 of 22 December 2025 extends the validity period of maps from two to five years, implementing Recommendation 7 of Opinion 25-A-09 issued by the *Autorité* on 31 July 2025. As a result, the *Autorité* is for the first time submitting a proposed map of establishment areas for notaries, together with recommendations on the pace of creation of new offices, covering a five-year

period (2026-2031).

2. Overview of supply and demand

By 31 October 2025, the number of private practitioner notaries had increased by 6% compared to April 2023, with 12,361 notaries practising in 7,135 offices. Between 2016 and 31 October 2025, the number of offices and private practitioners increased by 64% and 42% respectively. More specifically, as part of the fourth wave of office creations, approximately 450 offices were created and 502 new professionals were appointed.

Supported by the robustness of the property market until 2022, the profession's economic results began to decline in 2023. After peaking at over €10 billion in 2022, turnover fell by 11% in 2023 and 4% in 2024. In terms of offices and professionals, the *Autorité* found a similar decline in turnover and results since 2023, alongside a significant decrease in the median margin (*taux de résultat*), which fell from 31% in 2022 to 24% in 2024.

Other indicators also reveal a decline in the profession's economic health since 2023. In particular, the total number of authentic deeds drawn up by notaries, which reached 5.3 million in 2021 and 2022, fell by 8% in 2023 and then by 4% in 2024. The number of salaried notaries in offices also decreased by 10% between 2022 and 2024.

The slowdown in the property market is the main reason for this declining performance and can be explained by tighter bank lending conditions and higher interest rates. Property transactions accounted for approximately 45% of notaries' total turnover in 2024 (just over 50% for offices created under the Law on Growth and Activity). The number of property transfers decreased by 20% in 2023 and by 10% in 2024, while the total fees collected by notaries for property transactions fell by 26% in 2023 and 12% in 2024.

However, the property market showed signs of improvement in 2025, with sales of existing homes rising by 10%, illustrating the positive effect of lower interest

rates and improved household borrowing capacity.

3. Quantitative recommendations by the *Autorité* for the period 2026-2031: 261 new notaries

A. Methodological changes

To develop its quantitative recommendations, the ***Autorité*** made a number of changes to the methodology used in its previous opinions, as decided in Opinion 25-A-09 of 31 July 2025.

In particular, the ***Autorité*** has adopted a rolling ten-year horizon for calculating the need for new professionals. As the latest economic data available relates to 2024, the time horizon used in this opinion is 2034.

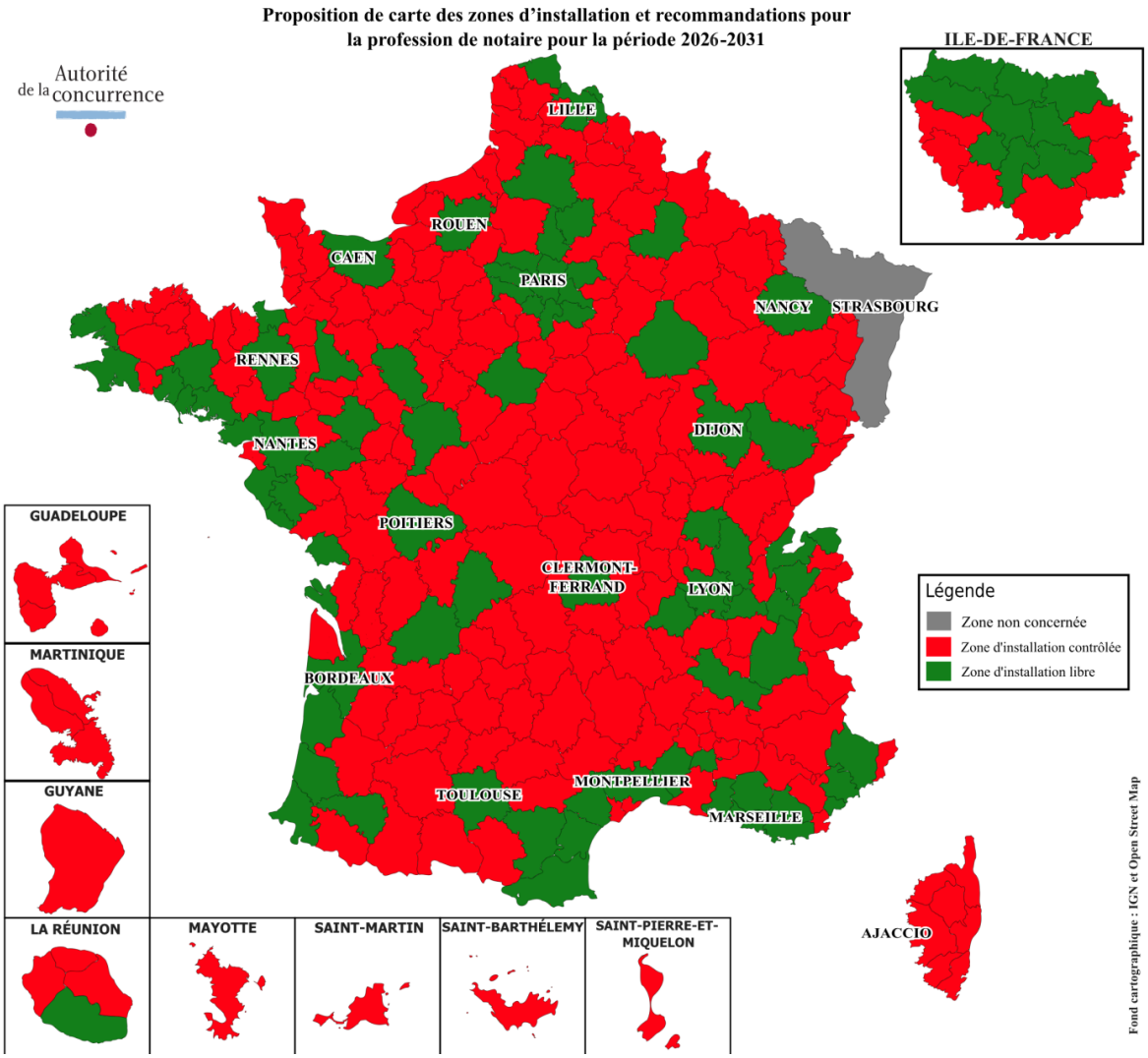
In addition, the turnover threshold of €502,000, used in 2023, has been revalued to €542,000 to take into account inflation between 2023 and 2025 (8% over the period).

B. The proposed map and quantitative recommendations

The ***Autorité*** estimates that between 3,600 and 3,800 new notaries will be needed by 2034. For comparison, projected needs in 2023 for 2029 were between 2,400 and 2,600 new professionals.

Accordingly, the ***Autorité*** is adopting a cautious approach with regard to the creation of new notary offices and is proposing to the French government **a map providing for the establishment of 261 new private practitioner notaries in 82 areas of France over the period 2026-2031**. See the map below:

Proposed map of establishment areas for the profession of notary for the period 2026-2031



- See the interactive version (in French)

4. Recommendations to improve access to offices

The *Autorité* notes that freedom of establishment could be improved further and reiterates 12 previous recommendations issued in Opinions 23-A-09 and 25-A-09. With the extension of the map validity period, the *Autorité* draws the French government's attention to the following two recommendations in particular:

- **align the term of office of the members of the Board of the *Autorité* appointed for their expertise in the regulated legal professions with the new map validity period**;
- **create offices within a timeframe, ideally two years, that gives the *Autorité* time to assess the development of the new offices before deciding on the next wave.**

1 Article L. 462-4-1 of the French Commercial Code and Article 52 of the Law for Growth and Activity.

2 Decree 2025-1273 of 22 December 2025.

3 The areas concerned cover every *département* of France, with the exception of Bas-Rhin, Haut-Rhin and Moselle. Furthermore, all French overseas *départements* are covered, as well as the overseas collectivities of Saint-Barthélemy, Saint-Martin and Saint-Pierre-et-Miquelon.

4 In areas "*where the establishment of offices appears useful in order to improve the proximity or offering of services*", applications from candidates meeting the required criteria are likely to be approved, within the limits of the recommended rate of appointments.

5 In areas where no need for a new office has been identified *a priori*, the Minister of Justice may only approve a request to create a new office, following an opinion from the *Autorité*, if such establishment is not likely to "*undermine the continuity of existing offices or compromise the quality of service provided*".

6 The French government justified the deviation from the recommendations made by the *Autorité* (-98 professionals) by the inclusion of new inflation data available when the decree was adopted, i.e. six months after the *Autorité* published its proposal.

OPINION 26-A-03 OF 25 FEBRUARY 2026

on freedom of establishment of notaires and a proposed revised map of establishment areas, together with recommendations on the pace of creation of new notary offices

See the full text of the opinion (in French)

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