The Autorité de la concurrence closes an investigation into 23 French bar associations

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The *Autorité* has closed an investigation into 23 French bar associations and reminds the entire legal profession that lawyers must remain free to opt out of non-compulsory cover included in insurance policies taken out collectively by bar associations.

Five bar associations in eastern France have been asked to ensure compliance by offering their members the option to opt out of non-compulsory cover.

The Investigation Services of the *Autorité de la concurrence* opened an investigation into commercial practices in professional insurance for lawyers following a report by the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF). Twenty-three French bar associations (Albertville, Aix-en-Provence, Amiens, Bordeaux, Dijon, Hauts-de-Seine, Lille, Lyon, Mâcon, Marseille, Nancy, Nantes, Metz, Mulhouse, Paris, Poitiers, Reims, Rennes, Sarreguemines, Saverne, Strasbourg, Thionville and Toulon) were accused of taking out collective professional indemnity and/or protection insurance policies comprising a range of optional cover and of imposing such non-compulsory cover on self-employed lawyers (*avocats libéraux*) practising within their jurisdictions.

- With regard to professional indemnity insurance, 18 of the 23 bar associations investigated offered their members the option to opt out of the main non-compulsory cover, namely public liability insurance and criminal defence cover. While some bar associations do not offer the option to opt out of other non-compulsory cover, the *Autorité* considers that it would not be appropriate to take action against those associations on this ground alone, given the more limited

significance of such cover.

The *Autorité* has asked the five bar associations that do not offer any opt-out (Metz, Mulhouse, Sarreguemines, Saverne and Thionville) to ensure compliance by offering their members the option to opt out of the main non-compulsory cover mentioned above.

- With regard to health and protection benefits, the *Autorité* considers that, under the French law of 31 December 1971, bar associations are responsible for "*administering and using* [their] *resources to provide assistance, allowances or any other benefits granted to* [their] *members* […]*, allocating costs among* [their] *members and pursuing recovery thereof*". As this expressly falls within the purpose of protection insurance policies, bar associations may therefore make such cover compulsory for their members.

PRESS RELEASE OF 17 NOVEMBER 2026

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Read the press release