

**Question for written answer E-014839/2015
to the Commission**
Rule 130
Piernicola Pedicini (EFDD)

Subject: Restricting competition in the legal profession in Germany

Under German law, non-German EU citizens wishing to be admitted to the profession of *Rechtsanwalt* must prove that they have effectively and regularly practised as a European lawyer in Germany for at least three years. However, local bar associations including the Stuttgart bar association do not specify clearly and unambiguously exactly what 'effective and regular' practice means. Furthermore, owing to the independence enjoyed by the *Länder*, the Federal Ministry of Justice does not have any power of scrutiny over local bar associations, as a result of which those associations are free to raise admission requirements to unjustifiable levels or to deny European lawyers access to the profession without due grounds.

With reference to Article 3(1)(c) of the Treaty on the Functioning of the European Union and to Directives 98/5/EC and 2005/36/EC, can the Commission say whether:

- the Stuttgart bar association's failure to lay down clear rules in this area is in keeping with EU law;
- the rules on non-discrimination and free competition in the profession have been circumvented in this instance?