

ORAL QUESTION O-0008/01

pursuant to Rule 42 of the Rules of Procedure

by Ana Palacio Vallelersundi, on behalf of the Committee on Legal Affairs and the Internal Market
to the Commission

Subject: Compulsory tariffs for certain liberal professions, in particular lawyers

What is the position of the European Commission regarding compulsory tariffs established in order to grant high quality service to citizens and to create trustful relationships between liberal professions and their clients?

Does the Commission recognise, in line with the case-law of the Court of Justice,

- that only compulsory tariffs established by professional bodies or associations of all members of a given profession may, according to the circumstances, be regarded as decisions adopted by associations of undertakings and be submitted to the competition rules, and
- that Member States are authorised to establish compulsory tariffs taking into account the general interest (and not only that of the profession) and also the protection of high moral, ethical and quality standards that liberal professions stand for and their clients trust in?

What is the position of the Commission regarding regulations that are established by professional groups under their own responsibility to guarantee the quality of service, to fix special standards of value, to observe those regulations in a professional manner and to include professional ethics ?

Does the Commission consider that the goal of promoting competition within professions should take into account, in each individual case, the objective of maintaining purely ethical rules specific to each profession?

What is the position of the Commission regarding the country of origin principle in present and future legislation and rules for providing services for professional firms established in one Community country carrying on business either as a branch or a subsidiary in another Community country?

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