Contents Page

Free movement of lawyers................................................................................................................... 3

2. Case 33/74 Johannes Henricus Maria van Binsbergen v. Bestuur van de Bedrijfsvereniging voor de Metaalnijverheid (3 December 1974)....................................................................................................................... 3
3. Case 71/75 Jean Thieffry v. Conseil de l'ordre des avocats de Paris (28 April 1977).......................... 3
8. Case 294/89 Commission of the European Communities v. French Republic (10 July 1991).............. 4
9. Case C-19/92 Dieter Kraus v. Land Baden-Württemberg (31 March 1993)........................................ 4
12. Case 145/99 Commission of the European Communities v. Italian Republic (7 March 2002)........... 4
13. Case 289/02 AMOK Verlags v. A and R Gastronomie (11 December 2003)........................................ 4
15. Case 118/09 Robert Koller v. Rechtsanwaltsprüfungskommission of the Oberlandesgericht Graz (22 December 2010)......................................................................................................................... 5
17. Case 565/08 Commission v Italy (29 March 2011)................................................................................ 5
18. Case 424/09 Toki (5 April 2011) ........................................................................................................ 5
19. Joined Cases C-58/13 and C-59/13 Angelo Alberto Torresi (C-58/13), Pierfrancesco Torresi (C-59/13) v Consiglio dell’Ordine degli Avvocati di Macerata, (17 July 2014) ......................................................... 5
Multi-disciplinary partnerships ............................................................................................................ 6


Competition ........................................................................................................................................ 6


Training............................................................................................................................................... 6


25. Order of the Court (Second Chamber) in case 250/03 (17 February 2005) ........................................... 6


Money laundering ............................................................................................................................... 7

27. Case 305/05 Ordre des barreaux francophones et germanophone, Ordre français des avocats du barreau de Bruxelles, Ordre des barreaux flamands, Ordre néerlandais des avocats du barreau de Bruxelles v. Conseils des Ministres (26 June 2007) ........................................................................................................................................... 7

Legal professional privilege/professional secrecy and in-house counsel ................................................ 7

28. Joint Cases T-125/03 and T-253/03 Akzo Nobel Chemicals Ltd. v. Commission of European Communities (14 September 2010) ................................................................................................................ 7

European Contract Law ........................................................................................................................ 7

29. Case C-537/13 Birutė Šiba v Arūnas Devėnas (15 January 2015) ........................................................... 7

In-house Counsel ................................................................................................................................... 7

30. Case T-110/14, ADR Center Srl v European Commission (24 March 2014) ........................................... 7

31. Case T-226/10, Prezes Urzędu Komunikacji Elektronicznej v European Commission (23 May 2011) ... 7

32. Case T-221/14, Association/Vereniging Justice & Environment v European Commission (18 November 2014) ........................................................................................................................................... 7
Free movement of lawyers

   « Freedom of establishment – restrictions – abolition – transitional period – expiry - rule on equal treatment with nations - direct effect ».
   The decision can be found here EN, FR:

2. Case 33/74 Johannes Henricus Maria van Binsbergen v. Bestuur van de Bedrijfsvereniging voor de Metaalnijverheid (3 December 1974)
   « Services - freedom to provide services – restrictions - condition of residence – prohibition - particular services - persons assisting administration of justice - professional rules - observance of such rules - requirement of professional establishment - objective necessity - lawful requirement »
   The decision can be found here EN; FR:

   « Freedom of establishment - national of a member state - exercise of a professional activity in another member state - profession of advocate - diploma obtained in the country of origin - recognition of equivalence with the national diploma of the country of establishment - absence of community directives - requirement of the diploma of the country of establishment - restriction incompatible with the treat »
   The decision can be found here EN, FR:

   « Free movement of persons - freedom of establishment – advocates - access to the profession - enrolment refused because of maintenance of chambers in another member state - incompatibility with the treaty »
   The decision can be found here EN, FR:

   « Free movement of persons - freedom of establishment - lawyers-access to the legal profession - requirement of registration at a bar - permissibility »
   The decision can be found here EN, FR:

   « Freedom to provide services - lawyers-directive77/249 – implementation - obligation to work in conjunction with local lawyers - territorial restriction of the right to plead applicable to local lawyers »
   The decision can be found here EN, FR:

   « Free movement of persons - Freedom of establishment – Lawyers - Access to the profession - Obligation to Member State to examine the correspondence between the diplomas and the qualifications required by national law and those obtained in the Member State of origin - Obligation to give reasoned decision open to challenge in legal proceedings»
   The decision can be found here EN, FR:
«Freedom to provide services - lawyers - Directive 77/249 - Implementation - Exclusion of nationals practicing as lawyers in another Member State - Obligation to work in conjunction with a local lawyer - Rule applicable to local lawyers concerning the territorial exclusivity»
The decision can be found here EN, FR:

«Use of a post-graduate academic title - Legislation of a Member State - Requiring authorization for the use of academic titles awarded in another Member State»
The decision can be found here EN, FR:

«Directive 77/249 EEC - Freedom to provide services - Lawyers - Possibility of opening chambers»
The decision can be found here EN, FR:

«Freedom of establishment - Directive 98/5/EC - Practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained - Conditions for registration with the competent authority in the host Member State - Prior examination of knowledge of the languages of the host Member State - Remedy before a court or tribunal in accordance with domestic law»
The decision can be found here EN, FR:

«Failure by a Member State to fulfil its obligations - Articles 52 and 59 of the EC Treaty (now, after amendment, Articles 43 EC and 49 EC) - Directive 89/48/EEC - Access to and practice of the profession of lawyer»
The decision can be found here EN, FR:

«Freedom to provide services - Lawyer established in one Member State working in conjunction with a lawyer established in another Member State - Legal costs to be reimbursed by the unsuccessful party in a dispute to the successful party - Limitation»
The decision can be found here EN, FR:

«Freedom of establishment - Mutual recognition of diplomas - Harmonisation - Obligation to state reasons - Directive 98/5/EC - Practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was acquired»
The decision can be found here EN, FR:
15. **Case 118/09 Robert Koller v. Rechtsanwaltsprüfungskommission of the Oberlandesgericht Graz (22 December 2010)**

   « Court or tribunal’ within the meaning of Article 234 EC – Recognition of diplomas – Directive 89/48/EEC – Lawyer – Entry on the professional roll of a Member State other than that in which the diploma was recognised as equivalent»

   The decision can be found here EN, FR


   « Lawyers – Directive 89/48/EEC – Recognition of higher-education diplomas awarded on completion of professional education and training of at least three years’ duration – Directive 98/5/EC – Practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained – Use of the professional title of the host Member State – Conditions – Registration with the Bar Association of the host Member State»

   The decision can be found here EN, FR

17. **Case 565/08 Commission v Italy (29 March 2011)**

   « (Failure of a Member State to fulfill obligations – Articles 43 EC and 49 EC – Lawyers – Obligation to comply with maximum fee tariffs – Obstacle to market access – No obstacle) »

   The decision can be found here EN FR

18. **Case 424/09 Toki (5 April 2011)**

   « (Directive 89/48/EEC – Points (a) and (b) of the first subparagraph of Article 3 – Recognition of higher education diplomas – Environmental engineer – Activity deemed to be a regulated professional activity – Applicable mechanism of recognition – Meaning of ‘professional experience’) »

   The decision can be found here EN FR

19. **Joined Cases C-58/13 and C-59/13 Angelo Alberto Torresi (C-58/13), Pierfrancesco Torresi (C-59/13) v Consiglio dell’Ordine degli Avvocati di Macerata, (17 July 2014)**

   “Reference for a preliminary ruling — Freedom of movement for persons — Access to the profession of lawyer — Possibility of refusing registration in the Bar Council register to nationals of a Member State who have obtained their professional legal qualification in another Member State — Abuse of rights”

   The decision can be found here: EN, FR.

20. **Case C-101/10 Gentcho Pavlov, Gregor Famira v Ausschuss der Rechtsanwaltskammer Wien, (7 July 2011)**

   “External relations – Association agreements – National legislation excluding, before the accession of the Republic of Bulgaria to the European Union, Bulgarian nationals from inclusion on the list of trainee lawyers – Compatibility of that legislation with the prohibition of all discrimination based on nationality, as regards working conditions, in the EC-Bulgaria Association Agreement”

   The decision can be found here: EN, FR.
Multi-disciplinary partnerships

«Professional body - National Bar - Regulation by the Bar of the exercise of the profession - Prohibition of multi-disciplinary partnerships between members of the Bar and accountants - Article 85 of the EC Treaty (now Article 81 EC) - Association of undertakings - Restriction of competition - Justification - Article 86 of the EC Treaty (now Article 82 EC) - Undertaking or group of undertakings - Articles 52 and 59 of the EC Treaty (now, after amendment, Articles 43 EC and 49 EC) - Applicability - Restrictions - Justification »
The decision can be found here EN, FR:

Competition

«Compulsory tariff for fees of members of the Bar - Decision of the National Council of the Bar - Approval by the Minister for Justice - Articles 5 and 85 of the EC Treaty (now Articles 10 EC and 81 EC »
The decision can be found here EN, FR:

«Community competition rules –National rules concerning lawyers’ fees – Setting of professional scales of charges – Freedom to provide services»
The text can be found here EN, FR:

Training

«Freedom of establishment - Enrolment in the register of ‘praticanti’ - Recognition of diplomas - Access to regulated professions »
The decision can be found here EN, FR:

25. Order of the Court (Second Chamber) in case 250/03 (17 February 2005)
«Access to the profession of advocate – Rules on the examination for authorisation to practise as an advocate »
The text can be found here EN, FR:

«Freedom of movement for workers — Article 39 EC — Refusal of access to serve as a legal trainee — Candidate who obtained his law diploma in another Member State — Criteria for assessment of the equivalence of knowledge acquired»
The text can be found here EN, FR:
Money laundering

27. Case 305/05 Ordre des barreaux francophones et germanophone, Ordre français des avocats du barreau de Bruxelles, Ordre des barreaux flamands,Ordre néerlandais des avocats du barreau de Bruxelles v. Conseils des Ministres (26 June 2007)
«Directive 91/308/EEC – Prevention of the use of the financial system for the purpose of money laundering – Obligation on lawyers to inform the competent authorities of any fact which could be an indication of money laundering – Right to a fair trial – Professional secrecy and the independence of lawyers»
The decision can be found here EN, FR:

Legal professional privilege/professional secrecy and in-house counsel

28. Joint Cases T-125/03 and T-253/03 Akzo Nobel Chemicals Ltd. v. Commission of European Communities (14 September 2010)
«Appeal — Competition — Measures of inquiry — Commission’s powers of investigation — Legal professional privilege — Employment relationship between a lawyer and an undertaking — Exchanges of e-mails »
The decision can be found here EN, FR:

European Contract Law

29. Case C-537/13 Birutė Šiba v Arūnas Devėnas (15 January 2015)
“Reference for a preliminary ruling — Directive 93/13/EEC — Scope — Consumer contracts — Contract for the provision of legal services concluded between a lawyer and a consumer”
The decision can be found here: EN, FR.

In-house Counsel

30. Case T-110/14, ADR Center Srl v European Commission (24 March 2014)
“Action for annulment – Representation by a lawyer who is not a third party – Manifest inadmissibility”
The decision can be found here: EN.

“Action for annulment – Representation by lawyers who are not third persons – Inadmissibility”
The decision can be found here: EN, FR.

32. Case T-221/14, Association/Vereniging Justice & Environment v European Commission (18 November 2014)
“Action for annulment — Representation by a lawyer who is not a third party — Manifest inadmissibility”
The decision can be found here: EN, FR.